

## **REMARKS/ARGUMENTS**

The Applicants have carefully considered this application in connection with the Examiner's Action and respectfully request reconsideration of this application in view of the foregoing amendment and the following remarks.

The Applicants originally submitted Claims 1-37 in the application. Pursuant to a restriction requirement, the Applicants canceled claims 17-37. The Applicants previously canceled Claim 15. Herein, the Applicants have canceled Claim 3, amended Claims 1, 2, 4, 5 and 6 and added Claims 38-41. Accordingly, Claims 1-2, 4-14, 16 and 38-41 are currently pending in the application.

### **I. Formal Matters and Objections**

The Examiner noted in response to the previous amendment that the Applicants had designated Claim 9 as amended, but that the claim language was identical to that originally filed. The Examiner correctly concluded that the Claim 9 identifier should have been given as "Original". The Applicants thank the Examiner for noting this discrepancy and waiving the requirement that it be corrected.

### **II. Rejection of Claims 2 and 4 under 35 U.S.C. §112**

The Examiner has rejected Claims 2 and 4 under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the Applicants regard as the invention. The Examiner stated that the phrase "the network" as it appeared in lines 3 and 4 of Claim 2 was not clearly defined. The Applicants have amended Claims

2 and 4 to clarify the term and respectfully request the Examiner to withdraw his rejection of Claims 2 and 4 under 35 U.S.C. §112, second paragraph.

### **III. Rejection of Claims 1-8, 9-14 and 16 under 35 U.S.C. §103**

The Examiner has rejected Claims 1-6, 8, 9, 11-14 and 16 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,687,241 to Goss, *et al.* (Goss) in view of U.S. Patent No. 6,517,587 to Satyavolu, *et al.* (Satyavolu). The Examiner rejected Claim 7 as being unpatentable over Goss in view of Satyavolu and U.S. Patent No. 6,330,327 to Lee, *et al.* (Lee). The Examiner rejected Claim 10 as being unpatentable over Goss in view of Satyavolu and U.S. Patent No. 6,707,899 to Saito, *et al.* (Saito).

As the Examiner is no doubt aware, determination of obviousness requires consideration of the invention considered as a whole; the inquiry is not whether each element exists in the prior art, but whether the prior art made obvious the invention as a whole. Furthermore, there must be some suggestion or teaching in the art that would motivate one of ordinary skill in the art to arrive at the claimed invention; a reference that teaches away from a claimed invention strongly indicates nonobviousness.

Moreover, to establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations.

The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on Applicants' disclosure.

With respect to the Examiner's rejection of Claims 1-6, 8, 9, 11-14 and 16 under 35 U.S.C. §103(a) as being unpatentable over Goss in view of Satyavolu, the Applicants respectfully note that Goss does not describes a system with a call processing network that has a workflow manager connected to a global data communications network for managing workflow, receiving and distributing media events, and servicing client requests from the global data communications network. Although, Goss does disclose a system that enables customers to submit call-back requests to agents located at any one of a plurality of call centers via the Internet, or any other communications technology available, Goss does not provide for the added refinement of a workflow manager. Satyavolu does not overcome this shortcoming in Goss. Therefore, Goss, individually or in combination with Satyavolu, fails to teach or suggest the invention recited in independent Claim 1 and its dependent claims, when considered as a whole. Claim 3 has been canceled. Claims 1-2, 4-6, 8, 9, 11-14 and 16 are therefore not obvious in view of Goss and Satyavolu.

The Examiner rejected Claim 7 as being unpatentable over Goss in view of Satyavolu and Lee. Claim 7 is dependent on Claim 1, which is not obvious for the reason set forth above. The shortcoming of Goss is not overcome by Lee. Therefore, because Goss, individually or in combination with Satyavolu and Lee, fails to teach or suggest the invention recited in independent Claim 1, its dependent Claim 7 is also not obvious.

The Examiner rejected Claim 10 as being unpatentable over Goss in view of Satyavolu and Saito. Claim 10 is dependent on Claim 1, which is not obvious for the reason set forth above. The shortcoming of Goss is not overcome by Saito. Therefore, because Goss, individually or in

combination with Satyavolu and Saito, fails to teach or suggest the invention recited in independent Claim 1, its dependent Claim10 is also not obvious.

In view of the foregoing remarks, the cited references do not support the Examiner's rejection of Claims 1-2, 4-14 and 16 under 35 U.S.C. §103(a). The Applicants therefore respectfully request the Examiner withdraw the rejection.

#### IV. Conclusion

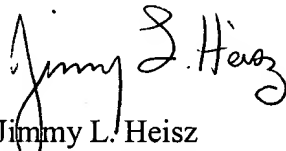
In view of the foregoing amendment and remarks, the Applicants now see all of the Claims currently pending in this application to be in condition for allowance and therefore earnestly solicit a Notice of Allowance for Claims 1-2, 4-14, 16 and 38-41.

It is not believed that any fees are due for this communication, however, the Commissioner is hereby authorized to charge any possible fees connected with this communication to Deposit Account No. 08-2395.

The Applicants request the Examiner to telephone the undersigned attorney of record at (972) 480-8800 if such would further or expedite the prosecution of the present application.

Respectfully submitted,

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